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and DISABILITY RIGHTS ENFORCEMENT,
EDUCATION, SERVICES: HELPING YOU
HELP OTHERS

FILED
JUN 10 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAREN HEATHERLY, an individual; and)
DISABILITY RIGHTS ENFORCEMENT,)
EDUCATION, SERVICES: HELPING YOU)
HELP OTHERS, a California public benefit)
corporation,)

Plaintiffs,

v.

TAQUERIA SEBASTOPOL; TALMADGE)
WOOD, trustee of the Talmadge Wood)
Trust; EVANGELINA CORONEL and)
SAMUEL CORONEL ROBLES, a married)
partnership dba TAQUERIA)
SEBASTOPOL,)

Defendants.

CASE NO. C 07-2656 JL

EX PARTE REQUEST AND [PROPOSED]
ORDER FOR CONTINUANCE OF THE
CASE MANAGEMENT CONFERENCE

E-filing

Plaintiffs DAREN HEATHERLY and DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES hereby submit this Ex Parte Request to Continue the Case
Management Conference currently scheduled for June 11, 2008, and for the following reasons:

1. Since the filing of the complaint, plaintiffs have obtained a default against one defendant, Evangelina Coronel in this matter.
2. Plaintiffs have also discovered that the named trustee of defendant Talmadge Wood Trust is deceased.
3. Plaintiffs have not received any communication from any defendants in this matter. No responsive pleading has been filed.

1 4. It is Plaintiffs intention to pursue a default judgment against Evangelina Coronel
2 if no timely responsive pleading is filed.

3 5. In light of these facts and defendant's failure to participate in the litigation of this
4 matter thus far, Plaintiffs wish to preserve the courts resources by avoiding an
5 unproductive Case Management Conference.

6 For the aforementioned reasons, Plaintiffs respectfully request that the Case Management
7 Conference currently on calender for June 11, 2008, be vacated and continued for (90) days.

8
9 DATED: June 9, 2008

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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11 By: _____ /s/
12 Thomas E. Frankovich
13 Attorneys for Plaintiffs DAREN HBATHERLY
14 and DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES: HELPING YOU HELP
OTHERS

15 **ORDER**

16 The Case Management Conference currently on calender for June 11, 2008, is
17 VACATED and CONTINUED for 90 days to OCTOBER 1, 2008, at 10:30 a.m.
18 IT IS SO ORDERED.

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20 Dated: 6-10, 2008

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22 Hon. James Larson
23 UNITED STATES MAGISTRATE JUDGE
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